

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CLIFTON JAMES JACKSON,

Defendant.

3:11-cr-00142-RCJ-VPC-1

ORDER

On February 8, 2012, a jury convicted Defendant Clifton James Jackson of one count of Possession of a Firearm by a Convicted Felon, 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The Court denied a motion for new trial that was grounded entirely on the FPD's alleged ineffective assistance, which claims are not cognizable under Rule 33, but rather must be brought in federal habeas corpus proceedings under 28 U.S.C. § 2255, or in some cases on direct appeal. *United States v. Pirro*, 104 F.3d 297, 299–300 (9th Cir. 1997) (citing *United States v. Hanoum*, 33 F.3d 1128, 1130 (9th Cir. 1994)); accord *United States v. Mendoza*, Nos. 07–50002 and 09–50641, 2012 WL 1893538, at *2 (9th Cir. May 25, 2012) (citing *id.* at 299). Defendant has appealed, and the appeal has been submitted for decision.

Defendant has now filed a Motion for Relief from Judgment (ECF No. 72), and the United States has filed a Motion to Strike (ECF No. 73). The Court grants the latter motion. Defendant is represented and may not file motions *in pro se*.

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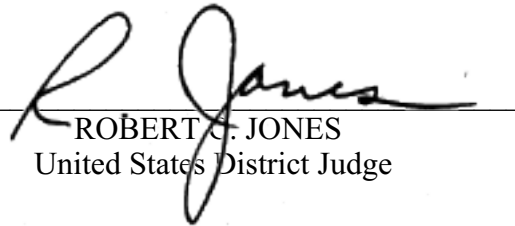
CONCLUSION

IT IS HEREBY ORDERED that the Motion to Strike (ECF No. 73) is GRANTED.

IT IS FURTHER ORDERED that the Motion for Relief from Judgment (ECF No. 72) is STRICKEN.

IT IS SO ORDERED.

Dated this 26th day of November, 2013.



ROBERT C. JONES
United States District Judge